

accelerator pedal and a brake pedal of said electric vehicle are not operated while said holding period elapses a ~~present~~ preset maximum holding time.

REMARKS

The Examiner is thanked for the courtesy of the interview conducted with the undersigned on July 17, 2003. In light of that interview as well as the Advisory Action mailed May 15, 2003, Applicants have deleted Claim 12 and have repeated the amendments to Claims 2 and 13 to overcome the § 112, ¶ 2 rejection. In addition, as discussed at the interview, applicants have deleted redundant language in those claims.

Applicants hereby repeat their traversal of the rejection of the claims as either being anticipated by Takamoto et al. under 35 USC § 102(b) or as being unpatentable over Takamoto et al. by itself or in combination with one of Hotta and/or Takahashi et al. or Siepker. The reasons set forth in the paper filed May 21, 2003, are incorporated by reference herein with regard to those patent documents.

At the interview, the undersigned pointed out that there is no clear teaching or inherency in the Takamoto et al. patent for the teaching of keeping the vehicle body at a stopped position using a calculated rotating torque of an electric motor where the torque is calculated in correspondence to the amount of depression of the brake pedal as in Claim 2, or of an electric vehicle which uses the rotating torque of an electric motor to keep the vehicle at a stopped position in which the position control means has a holding period to keep the vehicle body at the stopped position under application of the rotating torque after the brake

pedal is released, as well as motor torque decreasing mechanism for decreasing the rotating torque when the accelerator pedal and the brake pedal of the vehicle are not operated while a holding period elapses beyond a preset maximum holding time.

The Takamoto et al. patent says nothing about controlling a position during the positional controlling operation. Rather, the Takamoto et al. patent is directed to the control of a motor only when the vehicle stops by going from speed or torque control to position control. It teaches nothing about controlling a position of the vehicle during the positional control mode.

As was also pointed out at the interview, with reference to Figs. 3c and 4 of the Takamoto et al. patent, the torque instruction value R is calculated and is output as the control signal when the position control selection signal S_p is OFF in the switching circuit (Fig. 4). The stopping instruction torque T_p is the same as the torque instruction value T_o when the position control selection switch is ON (col. 4, lines 39-41). That is, in Fig. 4 of Takamoto et al. at SELECTION 014, when S_p selects T_p the output is T_o .

The present invention operates such that the output of the TORQUE DECREASE restricts the TORQUE COMMAND during position control to reduce the current consumption.

Therefore, with or without the secondary references mentioned above, the Takamoto et al. patent neither teaches nor suggests the subject matter of the present invention as set forth in the claims. Entry of the above amendments should be appropriate because they do not raise any new issues. Instead, the undersigned submits that a reconsideration of the Takamoto et al. patent will

demonstrate that the essential features of the claimed invention herein are not rendered unpatentable.

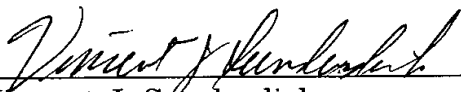
Accordingly, entry of the proposed amendments and favorable action on the claims are earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #381NT/44743TCO).

Respectfully submitted,

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